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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/289,855

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TAISUKE KOBAYASHI

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ROBIN BLECKER & DALEY
2ND FLOOR
330 MADISON AVENUE
NEW YORK, NY 10017

EXAMINER

NGUYEN, LUONG TRUNG

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 05/19/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/289,855

Applicant(s)

KOBAYASHI ET AL.

Examiner

LUONG T NGUYEN

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6, 9-14, 17-22 and 25-27 is/are allowed.
- 6) ☒ Claim(s) 7-8, 15-16, 23-24, 28-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 7-8, 15-16, 23-24 filed on 3/5/2004 have been fully considered but they are not persuasive.

In re page 14, Applicants argue that Ono does not teach or suggest a camera server including an output device for outputting to a camera operation apparatus a camera control right obtaining notice, which includes information associated with the kind of camera when it is determined that the client can control the camera.

In response, regarding claim 7, the Applicants amended the claim with the limitation "an output device for outputting to the camera operation apparatus a camera control right obtaining notice which includes information associated with the kind of camera when said determination device determines that the camera operation apparatus can control the camera. The Examiner considers that claim 7 as amended still does not distinguish from Ono patent. Ono discloses camera control server 11 issues to each client camera attitude message 1202 and a control authority message 1203, which indicates "control authority is possessed (can control the camera)". Control authority message 1203 has control status data 1228, which indicates the control authority status of that client with respect to the camera, i.e., indicates one of "control authority being requested", "control authority is possessed", "and "no control authority" (figure 5A-5C, column 6, lines 1-37, information associated with the kind of camera when said determination device determines that the camera operation apparatus can control the camera).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 28-33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 28 (line 9), claim 31 (line10) both recite the limitation "said" in "said storage device". There is insufficient antecedent basis for this limitation in the claim.

Claims 29-30 are rejected as being dependent on claim 28.

Claims 32-33 are rejected as being dependent on claim 31.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 7-8, 15-16, 23-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Ono (US 6,133,941).

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Regarding claim 7, Ono discloses a camera server (camera control server 11, figure 1) for controlling a camera on the basis of a control instruction (camera control request, column 5, lines 35-40) received from a camera operation apparatus (camera control client 101, figure 1) via a network (network 12, figure 1), comprising determination device for determining whether the camera operation apparatus can control the camera when a camera control right request is received from said camera operation apparatus (camera control server 11 manages control requests from camera control clients, and controls grant of the control authority to each client (figure 1, column 5, lines 15-20); output device for outputting to the camera operation apparatus a camera control right obtaining notice which includes information associated with the kind of camera when said determination device determined that the camera operation apparatus can control the camera (figures 1, 5A-5C, column 6, lines 1-37, camera control server 11 issues to each client camera attitude message and a control authority message which indicates “control authority is possessed (can control the camera)”. Control authority message 1203 has control status data 1228, which indicates the control authority status of that client with respect to the camera, i.e., indicates one of “control authority being requested”, “control authority is possessed”, “and “no control authority” (information associated with the kind of camera when said determination device determines that the camera operation apparatus can control the camera).

Regarding claim 8, Ono discloses wherein said output device outputs a notice representing that the control right for the camera cannot be obtained to the camera operation apparatus and information associated with the kind of camera together with the notice when said

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determination device determined that the camera operation apparatus can operate the camera (figures 1, 5A-5C, column 6, lines 1-37, camera control server 11 issues to each client camera attitude message and a control authority message which indicates “no control authority (cannot control the camera)”.

Regarding claims 15-16, claims 15-16 are method claims of the apparatus claims 7-8. Therefore, claims 15-16 are rejected for the reason given respect to claims 7-8, respectively.

Regarding claims 23-24, all the limitations are contained in claims 15-16, except for the feature “storage medium” is disclosed as RAM 104 (column 10, line 61 – column 11, line 10). Therefore, claims 23-24 are rejected for the reason given respect to claims 15-16, respectively.

Allowable Subject Matter

6. Claims 1-4, 5-6, 9-12, 13-14, 17-20, 21-22, 25-27 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, the prior art of the record fail to show or fairly suggest a camera operation apparatus for operating a camera via a network, comprising module request device, connected to the network for requesting through the network, transmission of the module corresponding to the kind of camera recognized by said recognition device to a device having the module corresponding to the kind of camera recognized by said recognition device, when said

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camera operation apparatus has no module corresponding to the kind of camera recognized by said recognition device.

Claims 2-4 are allowable for the reason given respect to claim 1.

Claims 9-12 are method claims of apparatus claims 1-4. Therefore, claims 9-12 are allowable for the reason given respect to claims 1-4, respectively.

Claims 17-20 are equivalent to claims 9-12, respectively. Therefore, claims 17-20 are allowable for the reason given respect to claims 9-12, respectively.

Regarding claim 5, the prior art of the record fail to show or fairly suggest a camera operation apparatus for operating a camera via a network, comprising a display device, wherein said display device changes at least contents for operation in said window in accordance with a kind of functions the camera can perform.

Claim 6 is allowable for the reason given respect to claim 5.

Claims 13-14 are method claims of the apparatus claims 5-6. Therefore, claims 13-14 are allowable for the reason given respect to claims 5-6, respectively.

Claims 21-22 are equivalent to claims 13-14, respectively. Therefore, claims 21-22 are allowable for the reason given respect to claims 13-14, respectively.

Regarding claim 25, the prior art of the record fail to show or fairly suggest a camera server for controlling a camera on the basis of a control instruction received from a camera operation apparatus via a network, comprising a module request device for requesting through the network, transmission of the module corresponding to the kind of current camera connected

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with said camera server, when no module corresponding to the kind of current connected camera is stored by said storage device.

Claims 26-27 are allowable for the reason given respect to claim 25.

7. Claims 28-33 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **LUONG T NGUYEN** whose telephone number is (703) 308-9297. The examiner can normally be reached on 7:30AM - 5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN LN
5/16/2004


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600